

**2850. Misbranding of Rock-Rye. U. S. v. E. G. Lyons & Raas Co. Plea of guilty. Sentence suspended. (F. & D. No. 3927. I. S. No. 13199-d.)**

On February 4, 1913, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against E. G. Lyons & Raas Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on November 21, 1911, from the State of New York into the State of Connecticut, of a quantity of so-called Rock-Rye which was misbranded. The product was labeled "Perfection Rock-Rye: Horehound, Irish moss, tolu, white pine, pineapple, lemon and orange. Cordialized. Guaranteed under the Pure Food and Drugs Act, June 30, 1906. Serial No. 5408. E. G. Lyons & Raas Co., San Francisco and New York. Perfection Rock-Rye is made from the finest products and excels in quality other so-called rock and rye. Its various ingredients, horehound, Irish moss, tolu and white pine are well-known for their medicinal properties, and are highly recommended by the medical profession as a cure for coughs and colds. Pineapple, lemon and orange are used to give the beverage a fine and palatable taste and flavor. E. G. Lyons & Raas Co. San Francisco, Cal. New York."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity at 25° C., 1.0993; solids (grams per 100 cc), 33.29; ash (grams per 100 cc), 0.115; alcohol (per cent by volume), 23.20; pieces of pineapple, orange and lemon floating in the liquid. Tolu, white pine, and horehound indicated. The alcohol was not declared upon the label of the package. Misbranding of the product was alleged in the information for the reason that the package in which it was shipped failed to bear a statement on the label thereof of the quantity or proportion of alcohol contained therein, whereas, in truth and in fact, it contained alcohol to the extent of 23.20 per cent by volume.

On February 10, 1913, the defendant company entered a plea of guilty to the information and the court suspended sentence.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 10, 1914.*

**2851. Adulteration of syrup. U. S. v. Clarence A. Crane Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 3930. I. S. No. 10891-c.)**

On November 15, 1912, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Clarence A. Crane Co., a corporation, Warren, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 30, 1910, from the State of Ohio into the State of Washington, of a quantity of syrup which was adulterated. The product was labeled: "This package contains 2½ lbs. net weight. Queen Brand (Queen) Maple & Cane Syrup Put up for Augustine & Kyer, Seattle, Wash."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed that water had been substituted in part for the article. Adulteration of the product was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed with it so as to reduce or lower or injuriously affect its quality and strength, and for the further reason that a substance, to wit, water, had been substituted wholly or in part for the article.

On March 18, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 10, 1914.*